IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 12304 of 2004

Between:

1 Smt.M.P.Susheela, w/o M.P.L.Ram,
r/o Q.No.390, N.F.C.Colony, Ghatkesar Mandal, Ranga Reddy District.
2 G.Vasantha, D/o Subba Rao,
r/o Q.No.390, N.F.C.Colony, Ghatkesar Mandal, Ranga Reddy District.

..... PETITIONER(S)

AND

1 The District Educational Officer, Ranga Reddy District.
2 The Y.M.C.A. of Greater Hyderabad, rep., by its Advocate Receiver,
YMCA Compound, Narayanaguda, Hyderabad.
3 YMCA Ashray School, Aushapur, Ghatkesar, Ranga Reddy District.

.

....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in issuing the notice dt.14-6-2004 as wholly illegal, arbitrary, unjust, and contrary to the provisions of A.P. Education Act and consequently set aside the notice dt.14-6-2004.

Counsel for the Petitioner:MR.G.RAVI MOHAN

Counsel for the Respondents: GP FOR EDUCATION

The Court at the admission stage made the following ORDER:

This writ petition is filed for declaring the action of the second respondent in issuing the notice dated 14-06-2004 to the petitioner as illegal and arbitrary.

During the course of arguments, it is contended by
Mr. G.Ravi Mohan, learned counsel appearing for the petitioners that the petitioners gave a representation dated 02-07-2004 to the first respondent and it is suffice that necessary and appropriate orders may have to be passed by the first respondent and therefore, necessary direction can be given to the first respondent.

Learned Government Pleader for School Education appearing for the respondents opposed the same on the ground that the school was closed because of falling down of strength of the students and therefore, there are no grounds to interfere with the impugned notice.

The second respondent-Advocate Receiver issued a notice dated 14-06-2004 to the petitioners stating that they have decided to close down the school because of falling of strength of students from 200 to 32. The limited request made by the learned counsel appearing for the petitioners is to direct the first respondent, who is the competent authority, to dispose of the representation made by the petitioners. Such a direction will not adversely affect the rights of the second and third respondents in this case. Therefore, at the request of both the counsel, the main writ petition can be disposed of at the admission stage itself.

The petitioners gave a representation dated 02-07-2004 to the first respondent to take appropriate action against the management of second respondent as per law.

In view of the facts and circumstances of the case, the first respondent is directed to take appropriate action as per representation dated 02-07-2004 filed by the petitioners, in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. In the circumstances, no costs.

16th JULY, 2004.

Kvni

To

1 The District Educational Officer, Ranga Reddy District.

2 Two CCs to the Government Pleader for School Education, A.P.High Court Buildings, Hyderabad.(OUT).

3 Two CD copies.